

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHIDIEBELE OKAFOR,

Petitioner,

v.

OPINION and ORDER

WARDEN R.D. KEYES,

24-cv-87-jdp

Respondent.

While housed at FCI Oxford, petitioner Chidiebele Okafor, proceeding without counsel, sought relief under 28 U.S.C. § 2241. Dkt. 1. Among other things, Okafor challenged the validity of an immigration detainer from U.S. Immigration and Customs Enforcement (ICE). On April 26, 2024, I dismissed the petition on the merits, concluding in pertinent part that Okafor failed to show that the detainer was invalid. Dkt. 16 at 2. Three days later, the clerk docketed a motion from Okafor dated April 22, 2024. Dkt. 18. Okafor stated that he was scheduled to be released from FCI Oxford on April 23, 2024, and he asked me not to consider his petition moot because, in his estimation, it was meritorious. In the alternative, Okafor asked me to transfer this case to an immigration court so that it could be addressed on the merits. The BOP's inmate locator states that Okafor was released from BOP custody on April 23, 2024. According to ICE's inmate locator, Okafor is currently in ICE custody at Dodge Detention Facility.

I will deny Okafor's motion. Okafor challenged the validity of the ICE detainer in his petition, and I decided that issue against him. Because Okafor is in ICE custody, his transfer from FCI Oxford didn't moot that issue. Also, Okafor hasn't shown that I have the authority

to transfer this case to an immigration court. Okafor would have to file a new, separate action in the appropriate immigration court. I cannot help him with that effort.

ORDER

IT IS ORDERED that:

1. Petitioner Chidiebele Okafor's motion not to consider the case moot, Dkt. 18, is DENIED.
2. The clerk is directed to send petitioner a copy of this order.

Entered May 15, 2024.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge